



DECISIONS, NOTICES AND ORDERS

Friday, November 20, 2015

The Supreme Court of Appeals of West Virginia has taken action in the following cases. This list contains only the action taken by the Court, not the content or actual date of orders or decisions.

REHEARINGS

The Court took the following action on a petition for rehearing:

State of West Virginia v. Howard C., No. 14-0485 (Wood 12-F-6)
Refuse Rehearing (4-1)(Ketchum)

MEMORANDUM DECISIONS

In accordance with Rule 21, memorandum decisions were entered in the following cases:

State of West Virginia v. Thomas M. White, Jr., No. 14-0918 (Grant 13-F-5)
Affirm (5-0)

Lee Trace LLC v. Hess, Assessor for Berkeley Cnty., et al., No. 14-0962
(Berkeley 11-AA-2 & 14-AA-1)(Business Court Division)
Affirm (5-0)

Katie Danner, et al. v. City of Charles Town, et al., No. 14-1214 (Jefferson 12-C-103)
Affirm (4-1)(Davis)

Carl Carmichael v. Enerfab, Inc., No. 14-1216 (Putnam 13-C-249)
Affirm (4-1)(Davis)

Shelli E. Smith v. Berkeley Cnty. Bd. of Ed., No. 15-0062 (Kanawha 14-AA-77)
Affirm (4-0)(Workman disqualified)

Robert M. v. Plumley, Warden, No. 15-0002 (Kanawha 13-P-522)
Affirm (3-2)(Davis, Ketchum)

Plumley, Warden v. William Laval Mayfield, No. 15-0018 (Ohio 10-C-139)
Affirm (4-1)(Loughry)

State of West Virginia v. Shawn D. Stewart, No. 14-1149 (Raleigh 04-F-220)
Affirm (5-0)

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State of West Virginia v. James Messer, No. 14-1180 (Mingo 13-F-98)
Affirm (5-0)

Christopher S. v. Plumley, Warden, No. 15-0035 (Mineral 14-C-50)
Affirm (5-0)

State of West Virginia v. Charles Franklin Plymail, No. 14-0016 (Cabell 93-F-50)
Affirm (3-2)(Davis, Ketchum)

K. Subramani v. West Virginia University Bd. of Governors, et al., No. 14-0924
(Monongalia 14-C-35)
Affirm (5-0)

Gregory G. Hall, et al. v. City of Clarksburg, No. 14-0928 (Harrison 12-C-254)
Affirm (5-0)

Michael W. Wolford, et al. v. Mountain Top Hunting Club, Inc., et al., No. 14-0963
(Tucker 14-C-13 & 14-C-14)
Affirm (5-0)

Harrison County Dev. Auth. v. Tetrick & Bartlett, PLLC, No. 14-0964
(Harrison 12-C-504)(Business Court Division)
Affirm (4-1)(Davis)

State of West Virginia v. Michelle Curran, No. 14-1034 (Wood 14-F-25)
Affirm (5-0)

Dr. Robby Keith et al. v. Christine Lawrence, Admx., No. 15-0223 (Kanawha 14-C-1705)
Affirm (4-1)(Davis)

State of West Virginia v. Heyward Thomas Bazar, Jr., No. 14-0916 (Ohio 14-F-4)
Affirm (3-2)(Davis, Benjamin)

Gregory C. v. Victoria C., No. 14-1109 (Jefferson 13-D-351)
Affirm (4-1)(Davis)

Richard Nyamekye v. West Virginia University Hospitals, Inc., No. 14-1330
Affirm (5-0)

RULE 19 ARGUMENT GRANTED

The following cases will be scheduled for Rule 19 oral argument on the dates stated:

State of West Virginia v. Frank Snider, No. 14-1310 (Monongalia 14-F-215)
February 24, 2016

Dayton Scott Lister v. Ballard, Warden, No. 15-0028 (Marion 14-C-154)
February 23, 2016

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RULE 20 ARGUMENT GRANTED

The following cases will be scheduled for Rule 20 oral argument on the dates stated:

Linda Mundy v. Genesis Healthcare, LLC, et al., No. 15-1027 (Kanawha 14-C-2182)
Roy Neal v. Genesis Healthcare, LLC, et al., No. 15-1028 (Kanawha 15-C-1137)
Consolidate for argument on February 23, 2016 (Briefing schedule set)

Richard Parsons v. Halliburton Energy Services, Inc., No. 14-1288 (Kanawha 13-C-2241)
February 24, 2016

ORDERS

Orders of note were entered in the following cases:

West Virginia Dept. of Transportation, Div. of Highways v. Edwin Liller Investments LLC, at al., No. 15-1079
Refuse Certified Question (5-0)

State ex rel. David Jones v. Honorable Jason A. Cuomo, Judge, et al., No. 15-0950
(Original Prohibition) Refuse (4-1)(Ketchum)
-AND-

State of West Virginia v. David Jones, No. 15-0767 (Harrison 15-P-39)
(Direct Appeal) Dismiss as Interlocutory (4-1)(Ketchum)

State ex rel. Yokum's Seneca Rock Stables, LLC v. Honorable Andrew N. Frye, Jr., Judge; and Mary and David Bowers, No. 15-0969 (Original Prohibition)
Refuse (5-0)

State ex rel. The West Virginia Division of Corrections v. Honorable Phillip D. Gaujot, Judge; and Justin Chandler, No. 15-0974 (Original Prohibition)
Refuse (3-2)(Benjamin, Loughry)

State of West Virginia v. Jackie S., No. 15-0995 (Post-Conviction Bail)
Refuse (5-0)

State of West Virginia v. Stephanie Elaine Louk, No. 15-0021 (Post-Conviction Bail)
Refuse (5-0)

Blackrock Capitol Investment, et al. v. Fish, et al., No. 15-0942 (Hancock 11-C-88 & 90)
Dismiss as Interlocutory (5-0)